

Senate File 2015 - Introduced

SENATE FILE 2015

BY JOHNSON

A BILL FOR

1 An Act relating to persons with disabilities registration
2 plates for motor vehicles owned by irrevocable trusts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.34, subsection 14, Code 2016, is
2 amended to read as follows:

3 14. *Persons with disabilities special plates.* An owner
4 referred to in [subsection 12](#) or an owner of a trailer used
5 to transport a wheelchair who is a person with a disability,
6 or who is the parent or guardian of a child who resides
7 with the parent or guardian owner and who is a person with
8 a disability, ~~as defined in [section 321B.1](#)~~, or an authorized
9 representative, if the owner is an irrevocable trust and the
10 primary user, as specified in the trust agreement or the
11 certification of trust or as authorized by the trustee, is a
12 person with a disability, may, upon written application to the
13 department, order special registration plates with a persons
14 with disabilities processed emblem designed by the department
15 bearing the international symbol of accessibility. The special
16 registration plates with a persons with disabilities processed
17 emblem shall only be issued if the application is accompanied
18 with a statement from a physician licensed under [chapter 148](#)
19 or [149](#), a physician assistant licensed under [chapter 148C](#), an
20 advanced registered nurse practitioner licensed under chapter
21 152, or a chiropractor licensed under [chapter 151](#), written on
22 the physician's, physician assistant's, nurse practitioner's,
23 or chiropractor's stationery, stating the nature of the
24 applicant's, ~~or the applicant's child's~~, or the primary user's
25 disability and such additional information as required by rules
26 adopted by the department, including proof of residency of a
27 child who is a person with a disability, where applicable. If
28 the application is approved by the department, the special
29 registration plates with a persons with disabilities processed
30 emblem shall be issued to the applicant. There shall be no
31 fee in addition to the regular annual registration fee for the
32 special registration plates with a persons with disabilities
33 processed emblem. The authorization for special registration
34 plates with a persons with disabilities processed emblem shall
35 not be renewed without the applicant furnishing evidence to

1 the department that the owner of the vehicle, or the owner's
 2 child, or the primary user is still a person with a disability
 3 ~~as defined in section 321L.1~~. An owner who has a child who is
 4 a person with a disability shall provide satisfactory evidence
 5 to the department that the child with a disability continues
 6 to reside with the owner. The registration plates with a
 7 persons with disabilities processed emblem shall be surrendered
 8 in exchange for regular registration plates as provided in
 9 subsection 12 when the owner of the vehicle, or the owner's
 10 child, or the primary user no longer qualifies as a person with
 11 a disability ~~as defined in section 321L.1~~ or when the owner's
 12 child who is a person with a disability no longer resides with
 13 the owner. For the purpose of this subsection, "person with a
 14 disability" means as defined in section 321L.1.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
 17 the explanation's substance by the members of the general assembly.

18 Under current law, the owner of a motor vehicle, or the owner
 19 of a trailer used to transport a wheelchair, who is a person
 20 with a disability, or who is the parent or guardian of a child
 21 with a disability, may apply for persons with disabilities
 22 special registration plates.

23 This bill provides that if a motor vehicle is owned by an
 24 irrevocable trust, an authorized representative of the trust
 25 may apply for persons with disabilities special registration
 26 plates if the primary user of the vehicle, as specified in the
 27 trust agreement or the certification of trust or as authorized
 28 by the trustee, is a person with a disability.